

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

STEVE W. ARCHER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: 1:21-cv-00346
	)	
KAUFMANN PROPERTY	)	Removed from Allen County Superior Court
MANAGEMENT CORP.,	)	Cause No. 02D09-2108-CT-000431
	)	
Defendant.		

**DEFENDANT'S NOTICE OF REMOVAL**

Defendant, Kaufmann Property Management Corp., hereby removes this action from the Allen County Superior Court in the State of Indiana to the United States District Court for the Northern District of Indiana - Fort Wayne Division pursuant to 28 U.S.C. § 1331. In support thereof, Defendant states as follows:

1. Plaintiff Steve Archer initiated this action on or about August 12, 2021, by filing a Complaint in the Superior Court of Allen County, Indiana (Cause No. 02D09-2108-CT-000431) against Kaufmann Property Management Corp. Plaintiff served Kaufmann Property Management Corp. with a copy of the Complaint and Summons by United States Certified Mail on August 18, 2021. True and correct copies of the Summons and Complaint are attached as **Exhibit A**. All other pleadings filed in the State Court Action that have been served on Defendant are attached as **Exhibit B**.

2. Defendant filed this Notice of Removal within 30 days of receiving the initial pleading and within one year of the commencement of this action, in compliance with 28 U.S.C. § 1446(b)-(c). Because the Superior Court of Allen County, Indiana lies in the Northern District of Indiana, this Court is the appropriate venue for removal. 28 U.S.C. §§ 94(a)(1) and 1441.

3. Plaintiff's Complaint alleges violations of the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*

4. Because the Complaint brings claims arising under federal law, this Court has original jurisdiction over the action pursuant to 28 U.S.C. § 1331.

5. Pursuant to 28 U.S.C. § 1446(d), written notice of this removal of the State Court Action has been given to counsel for Plaintiff and a State Court Notice of Removal has been simultaneously filed in Allen County Superior Court.

WHEREFORE, consistent with this Notice, Defendant removes the above-described action now pending in the Allen County Superior Court, Indiana, to the United States District Court for the Northern District of Indiana - Fort Wayne Division.

Respectfully submitted,

/s/ Melissa K. Taft

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Attorney for Defendant,

Kaufmann Property Management Corp.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on September 7, 2021, I filed the foregoing *Defendant's Notice of Removal* electronically with the Clerk of the Court. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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/s/ Melissa K. Taft  
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